

REMARKS

Claims 1-6 and 9-12 are all the claims pending in the application. Claims 7, 8 and 13-17 are withdrawn from consideration.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 1-2 and 4-5 under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. JP 60112562 A, to Sakai et al. (hereafter referenced as ‘562). Applicants respectfully traverse this rejection in view of the following remarks.

A method and apparatus consistent with the present invention comprise winding an elongate film or sheet of paper (“web”) 24a, 24b neatly around a core 28a, 28b. The web 24a, 24b is initially wound around the core 28a, 28b under a low tension, thereafter being wound under a tension that increases at a given rate, and then being wound under a tension that progressively decreases from the high tension. The web 24a, 24b thus wound into a roll is not damaged and the roll is in a neatly wound state free of edge undulations or irregularities on its end faces. (Page 42, line 21 through page 43, line 1.)

Applicants amend Claims 1, 4, 9, and 11 to bring out the gradual nature of the tension increase. Support for these amendments is found throughout the specification, for example in the paragraph bridging pages 20 and 21. Applicants thank the Examiner for the courtesies extended during the teleconference of September 14, 2004, wherein the claims were discussed. While the Examiner was understandably reluctant to approve the amendments sight unseen, he did encourage Applicants to file the amendments so that he could review the changes in light of the prior art. In further support of the amendments and the claims’ novel features, Applicants include herewith a dictionary definition of “gradual” as “...arranged in grades or

degrees...proceeding by steps or degrees : advancing step by step...*not steep or abrupt...*"¹ to differentiate the claimed invention from the prior art as applied by the Examiner. Moreover, Applicants respectfully note that that "[w]hen the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value"² and therefore an argument that the slope of '562 is gradual based on some slight deviation from perfect verticality would be improper if based entirely on the '562 drawings.³

Applicants therefore submit that the applied art does not disclose the features of Claims 1 and 4, such that the rejection under 35 U.S.C. § 102(b) should be withdrawn. The rejection of Claims 2 and 5 should likewise be withdrawn at least due to these claims depending on Claims 1 and 4.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected Claims 3 and 6 under 35 U.S.C. § 103(a) as being unpatentable over '562, asserting that it would have been obvious to one having ordinary skill in the art at the time the invention was made to set the low tension as claimed. Claims 3 and 6 respectively depend upon Claims 1 and 4, which Applicants submit are patentable for the reasons set forth above based on their dependency, as well as the recitations set forth therein.

¹ Webster's Third New International Dictionary, Unabridged (1993)(emphasis added).

² MPEP 2125 (2003) (citation omitted).

³ Applicants see no indication in the English translation of the Abstract of '562 or in the drawings themselves that the drawings are shown to scale.

AMENDMENT UNDER 37 C.F.R. § 1.116
Appln. No.: 10/014,516

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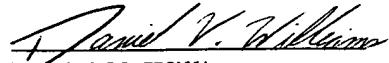
The Examiner rejected Claims 9-12 under 35 U.S.C. § 103(a) as being unpatentable over '562 in view of U.S. Patent No. 4,238,084 to Kataoka (hereafter referenced as '084). As noted above, in view of the amendments, Applicants submit that the Examiner's rejection using '562 is deficient, and '084 does not correct this deficiency. Therefore, Applicants submit that Claims 9 and 11 are patentable for at least the reasons set forth above. Additionally, each of Claims 10 and 12 depends upon one of Claims 9 and 11, all of which Applicants believe are allowable over the art of record.

Accordingly, Applicants respectfully request that the rejection of Claims 3, 6, and 9-12 under 35 U.S.C. § 103(a) be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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